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January 20, 2006

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VIA FACSIMILE

Jennifer A. Murphy, Esq.
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Re: Erie County Environmental Coalition, et al. v.
Millcreek Township Sewer Authority, et al.
Civil Action No. 05-59 Erie
United States District Court
Western District of Pennsylvania

Dear Jennifer:

I have reviewed your letter dated January 17, 2006 refusing to provide us with dates for the depositions of your standing witnesses. Contrary to your belief, we have every right to depose the individuals that you have identified as standing witnesses, regardless of whether they have submitted standing declarations. Consequently, we intend to proceed with the depositions. Here is our proposed schedule:

Date	Time	Deponent
2/13/06	1:00 p.m.	H. P. Lim
2/13/06	3:00 p.m.	Audrey Weber
2/14/06	9:00 a.m.	Jimmy Dallas
2/14/06	11:00 a.m.	James Gwynn
2/14/06	2:00 p.m.	Stan Skrzyszak
2/15/06	9:00 a.m.	Jesse T. Davis
2/15/06	11:00 a.m.	Diane Daniels
2/15/06	2:00 p.m.	Kathy Pedler
2/16/06	9:00 a.m.	Martin Visnosky
2/16/06	1:30 p.m.	Paul Burroughs

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We remain flexible with respect to dates and times, but we insist on proceeding with these depositions. Alternatively, if plaintiffs agree that certain individuals will not be used as witnesses at trial, we will agree not to depose those witnesses.

If I do not hear from you on these dates by the close of business on Monday, January 23, 2006, we will proceed with our Notices of Depositions and formally schedule these depositions.

MacDONALD, ILLIG, JONES & BRITTON LLP

By



Mark J. Shaw

MJS/tmb/933272

cc Via U.S. Mail:

Millcreek Township Sewer Authority

Millcreek Township